

BILL NO. 88-20

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 88-20

Introduced by Council Member Hatem

Legislative Day No. 33-13 Date May 3, 1988

AN ACT to repeal and reenact, with amendments, Article XXIV, Citizens Nursing Home Board, of Part 3, Authoritative Boards and Commissions, of Chapter 9, Boards, Commissions, Councils and Agencies, of the Harford County Code, as amended; to alter the land acquisition power of the Citizens Nursing Home Board; to alter the procedure by which the Board may receive appropriations from the county; to clarify the voting rights of Board members; to update the law governing the Board; and generally relating to the Citizens Nursing Home Board.

By the Council, May 3, 1988

Introduced, read first time, ordered posted and public hearing scheduled

on: May 31, 1988

at: 7:00 P.M.

By Order: Doris Poulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held

on May 31, 1988

and concluded on May 31, 1988

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

BILL NO. 88-20

1 Section 1. Be It Enacted By The County Council of Harford
2 County, Maryland, that Article XXIV, Citizens Nursing Home Board,
3 of Part 3, Authoritative Boards and Commissions, of Chapter 9,
4 Boards, Commissions, Councils and Agencies, of the Harford County
5 Code, as amended, be, and it is hereby, repealed and reenacted
6 with amendments, all to read as follows:

7 Chapter 9. Boards, Commissions, Councils and Agencies

8 Part 3. Authoritative Boards and Commissions

9 Article XXIV. Citizens Nursing Home Board

10 Section 9-146. Establishment; membership; terms; VACANCIES

11 [The Citizens Nursing Home Board of the county shall be
12 constituted and controlled as follows:

13 A. The Board shall consist of ten (10) members: three (3)
14 members shall be appointed to three-year terms: three (3)
15 members shall be appointed for two-year terms: two (2) members
16 shall be appointed to one-year terms: one (1) member of the
17 County Council or its designee and the County Executive or his
18 designee shall be ex officio members of the Board. The County
19 Council or its designee and the County Executive or his designee
20 shall serve a term coterminous with that of the County Council
21 and the County Executive that appointed them.

22 B. As the terms of the members of the Board expire or as
23 vacancies occur, their successors shall be appointed by the
24 County Executive upon recommendation of the Board. After the
25 initial appointments, the terms of office shall be for three (3)
26 years each. If a vacancy occurs prior to the expiration of a
27 member's term, his successor shall fill the unexpired term.
28 Designees of the County Council and the County Executive shall
29 serve at the pleasure of their respective appointing authority.
30 All appointments by the County Executive under this section shall
31 be subject to confirmation by the County Council. Upon the
32 expiration of their current terms of office, members shall be

1 appointed for staggered terms as provided in Subsection A above,
2 and thereafter the terms shall be for three (3) years.]

3 A. THERE IS A CITIZENS NURSING HOME BOARD.

4 B. THE BOARD CONSISTS OF TEN (10) MEMBERS:

5 (1) AS EX OFFICIO MEMBERS:

6 (a) THE COUNTY EXECUTIVE, OR THE EXECUTIVE'S
7 DESIGNEE; AND

8 (b) A MEMBER OF THE COUNTY COUNCIL, OR THE
9 COUNCIL'S DESIGNEE;

10 (2) EIGHT (8) MEMBERS APPOINTED BY THE EXECUTIVE,
11 SUBJECT TO CONFIRMATION BY THE COUNCIL.

12 C. (1) THE TERM OF AN APPOINTED MEMBER IS THREE (3) YEARS
13 AND BEGINS ON NOVEMBER 1.

14 (2) THE EXECUTIVE'S DESIGNEE SERVES AT THE PLEASURE OF
15 THE EXECUTIVE. THE COUNCIL'S DESIGNEE SERVES AT THE PLEASURE OF
16 THE COUNCIL.

17 (3) THE TERM OF THE EXECUTIVE'S DESIGNEE IS
18 COTERMINOUS WITH THAT OF THE EXECUTIVE. THE TERM OF THE
19 COUNCIL'S DESIGNEE IS COTERMINOUS WITH THAT OF THE COUNCIL.

20 (4) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE
21 UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

22 (5) A MEMBER APPOINTED AFTER A TERM HAS BEGUN SERVES
23 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED
24 AND QUALIFIES.

25 D. A VACANCY SHALL BE FILLED THROUGH APPOINTMENT BY THE
26 EXECUTIVE FROM A LIST OF PERSONS RECOMMENDED BY THE BOARD. AN
27 APPOINTMENT UNDER THIS SUBSECTION IS SUBJECT TO CONFIRMATION BY
28 THE COUNCIL.

29 Section 9-147. Residency requirements.

30 Members of the Board shall be residents of the county.

31 Section 9-148. Salaries and compensation.

32 [The members] MEMBERS of the [Citizens Nursing Home] Board

1 shall serve without compensation.

2 Section 9-149. Powers and duties.

3 The [Citizens Nursing Home] Board shall establish, maintain
4 and operate a nursing or convalescent home [or homes] and any
5 other facilities and services necessary for the proper care and
6 treatment of aged, convalescent and chronically ill residents of
7 the county and shall have the following powers and duties:

8 A. To accept gifts, legacies, bequests or endowments for
9 purposes of the Board. Unless otherwise specified by the donor
10 making such gift, legacy, bequest or endowment, the Board, in its
11 discretion, may expend both principal and income of any such
12 gift, bequest, legacy or endowment to support the Board's nursing
13 home program.

14 B. [To acquire and hold real and personal property in the
15 name of the county by any means, to sell or otherwise dispose of
16 such property so acquired and to preserve and administer such
17 properties.]

18 (1) TO REQUEST THAT THE COUNTY EXECUTIVE ACQUIRE REAL
19 PROPERTY, FOR BOARD USE, IN ACCORDANCE WITH THE PROCEDURES OF §
20 1-29 OF THIS CODE;

21 (2) TO HOLD, PRESERVE, AND ADMINISTER REAL AND
22 PERSONAL PROPERTY ACQUIRED UNDER THE PROVISIONS OF THIS
23 SUBSECTION;

24 (3) TO REQUEST THAT THE COUNTY EXECUTIVE DISPOSE OF
25 REAL PROPERTY ACQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, IN
26 ACCORDANCE WITH THE PROCEDURES OF § 1-29 OF THIS CODE; AND

27 (4) TO ACQUIRE AND DISPOSE OF PERSONAL PROPERTY.

28 C. To provide adequate facilities and services for the care
29 and treatment of the aged, convalescent and chronically ill
30 citizens of the county. These facilities and services may
31 include physical care, medical, nursing, recreational,
32 rehabilitative, special education and other similar activities

1 and dissemination of information relative to causes and
2 prevention of chronic and debilitating illnesses.

3 D. To charge such fees for admission to and maintenance in
4 such facilities and for use of such services as may support the
5 facilities and services, subject, however, to the provision that
6 where aged, convalescent and chronically ill residents of the
7 county are in need of such facilities and services and are
8 sufficiently impecunious as to be unable to pay the full cost of
9 such care, then the charges to such residents shall be in direct
10 proportion to their ability to pay for the services.

11 E. To apply all money, assets, property or other things of
12 value it may receive to the general purpose of the Board.

13 F. To adopt, subject to the terms of this Article, such
14 rules and regulations of any facilities or services that it
15 establishes as may be necessary for their proper operation.

16 G. To cooperate with and assist, insofar as practicable,
17 any agency of the state or the United States of America or any
18 subdivision of either or any private agency or person in
19 furtherance of any of the purposes of this Article.

20 H. To hire a director of any facility or service that it
21 establishes and to provide for such additional employees as are
22 necessary to properly operate such facilities.

23 I. To require that all facilities and services that it
24 establishes maintain such standards that they may qualify for
25 licenses as hospitals UNDER THE HEALTH-GENERAL ARTICLE, TITLE 19,
26 SUBTITLE 3, OF THE ANNOTATED CODE OF MARYLAND. [from the State
27 Board of Health as required in Article 43, § 556 et seq., of the
28 Annotated Code of Maryland, 1957.]

29 J. To integrate its facilities with, accept funds from and
30 cooperate with the State Board of Health and Mental Hygiene in
31 any facet or facets of its operations insofar as deemed advisable
32 by the Board.

1 [K. To establish close liaison with the Harford Memorial
2 Hospital for the purpose of providing comprehensive hospital,
3 nursing and convalescent care in the county.]

4 Section 9-150. Officers.

5 The [Citizens Nursing Home] Board shall annually select from
6 its own membership a Chairperson and such officers as it may deem
7 necessary.

8 Section 9-151. Meetings; VOTING.

9 [The Board shall hold such meetings as may be necessary for
10 the proper conduct of its business, not, however, less frequently
11 than once per month.]

12 A. THE BOARD SHALL MEET MONTHLY, AND MAY HOLD SPECIAL
13 MEETINGS IN ACCORDANCE WITH BOARD RULES.

14 B. EACH APPOINTED MEMBER AND EACH EX OFFICIO MEMBER IS
15 ENTITLED TO ONE VOTE.

16 Section 9-152. Adoption of rules and regulations.

17 The Board shall adopt, subject to the terms of this Article,
18 such rules as are necessary for the internal regulation of the
19 Board.

20 Section 9-153. Finances.

21 The activities of the [Citizens Nursing Home] Board shall be
22 supported insofar as possible by citizen support, voluntary
23 contributions, fees and charges and payments from the state and
24 federal government. [The County Council is authorized to make
25 annual appropriations in support of the operations of the
26 Citizens Nursing Home Board of the county for the objective of
27 maintaining an adequate level of medical and nursing care for the
28 aged, convalescent and chronically ill citizens of the county.
29 In further support of the objectives of this Article, the County
30 Council may make appropriations for land acquisition and capital
31 improvements or borrow funds for these purposes and issue
32 individual notes, bonds or other evidences of indebtedness.]

1 THE BOARD MAY REQUEST THAT THE COUNTY EXECUTIVE INCLUDE AN
2 APPROPRIATION IN THE COUNTY BUDGET FOR ANY EXPENDITURE THE BOARD
3 DEEMS NECESSARY, INCLUDING BUT NOT LIMITED TO EXPENDITURES FOR
4 OPERATING EXPENSES, CAPITAL PROJECTS, AND LAND ACQUISITION.

5 Section 9-154. Reports.

6 The [Citizens Nursing Home] Board shall annually report its
7 activities to the County Executive and the County Council during
8 the preceding year, together with recommendations or requests
9 [they deem] IT DEEMS appropriate to achieve the objectives and
10 purposes of this Article.

11 Section 9-155. Purpose.

12 The purpose of the [Citizens Nursing Home] Board [of the
13 county] is declared to be for the general benefit of the citizens
14 of the county and charitable in nature. It is a public
15 corporation and shall have perpetual existence, may contract and
16 be contracted with, sue and be sued, implead and be impleaded and
17 complain and defend in all courts of law and equity.

18 Section 2. And Be It Further Enacted, That this Act does not in
19 any manner affect or alter the terms of the present members of
20 the Citizens Nursing Home Board.

21 Section 3. And Be It Further Enacted, That this Act does not in
22 any manner affect or impair any existing obligation or contract
23 right of the Citizens Nursing Home Board.

24 EFFECTIVE: Aug. 2, 1988

25
26 *The Secretary of the Council does hereby*
27 *certify that fifteen (15) copies of this Bill*
are immediately available for distribution to
the public and the press.

28 _____, Secretary
29 *Doris Poulsen*

BY THE COUNCIL

BILL NO. 88-20

Read the third time.

Passed LSD 88-17 (May 31, 1988)

Failed of Passage _____

By Order

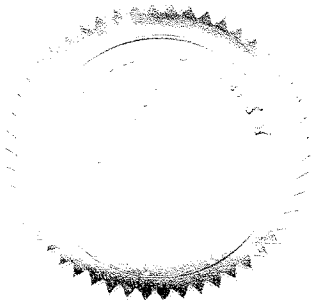
Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 1st day of June, 1988
at 3:00 o'clock P.M.

Doris Poulsen, Secretary

BY THE EXECUTIVE

APPROVED:

[Signature]
County ExecutiveDate 6-3-88

BY THE COUNCIL

This Bill, (No. 88-20), having been approved by the Executive
and returned to the Council, becomes law on June 3, 1988.

Doris Poulsen, Secretary

EFFECTIVE DATE: Aug. 2, 1988